IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

In re:

Chapter 11

ETOYS, INC., et al.,

Case Nos. 01-0706 (MFW) Through 01-0709 (MFW)

Debtors.

ROBERT K. ALBER, Pro Se,

Appellant,

v.

Civil Action No. 05-830 (KAJ), procedurally consolidated with Civil Action No. 05-0831 (KAJ)

TRAUB, BONACQUIST & FOX LLP, : BARRY GOLD, MORRIS NICHOLS ARSHT & TUNNELL LLP, and POST-EFFECTIVE DATE COMMITTEE OF EBC I, INC.,

Appellees.

CERTIFICATE OF SERVICE

I, Frederick B. Rosner, certify that I am not less than 18 years of age, and that service of the Joinder of Appellee Traub, Bonacquist & Fox LLP in Request by Appellee/Cross Appellant Morris, Nichols, Arsht & Tunnell LLP for (I) Status Conference to Consider Robert K. Alber's Failure to Timely File Opening Appeal Brief and (II) Stay of Deadlines for Appellees to File Their Briefs, was made on October 9, 2006 upon the following via first class mail:

Robert J. Dehney, Esquire Derek C. Abbott, Esquire Gregory W. Werkheiser, Esquire Morris, Nichols Arsht & Tunnell 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899

Mark S. Kenney, Esquire Office of the United States Trustee 844 King Street, Suite 2313 Wilmington, DE 19801

Paul Traub, Esquire Steven Fox, Esquire Dreier, LLP 499 Park Avenue New York, NY 10022 Robert K. Alber 17685 DeWitt Avenue Morgan Hill, CA 95037

Ronald R. Sussman, Esquire Kronish Lieb Weiner & Hellman LLP The Grace Building 1114 Avenue of the Americas New York, NY 10036-7798 James L. Garrity, Jr., Esquire Shearman & Sterling LLP 599 Lexington Avenue New York, NY 10022-6069

John J. Rapisarde, Esquire Weil, Gotshal & Manges LLP 767 Fifth Avenue New York, NY 10153 Mark Minuti, Esquire Saul Ewing LLP 222 Delaware Avenue, Suite 1200 Wilmington, DE 19801

Under penalty of perjury, I declare that the foregoing is true and correct.

Dated: October 9, 2006

Wilmington, Delaware

Frederick B. Rosner (DE 3995)

DUANE MORRIS LLP

1100 N. Market Street, Suite 1200 Wilmington, DE 19801-1246

Telephone: (302) 657-4900 Facsimile: (302) 657-4901

Email: fbrosner@duanemorris.com